

CRIMINAL CAUSE FOR PLEADING

BEFORE: MAGISTRATE JUDGE LEVY

DATE: June 3, 2008

08 CR 76 (JBW) (RML)

United States v. Agate

DEFT NAME: Frank Cali

X present

not present

X cust.

X bail

DEFENSE COUNSEL: Harlan Protass

X present

not present

CJA

X RET

FD

AUSA: Roger Burlingame

CLERK: Molly Kovel

INTERPRETER: (N/A)

RECORDING START AND END TIME: 3:15 - 4:20

Court Reporter

X CASE CALLED

DEFT'S FIRST APPEARANCE

DEFT: X SWORN

X ARRAIGNED

X INFORMED OF RIGHTS

Nicole Warren

WAIVER OF INDICTMENT FILED

INFORMATION FILED

DEFTs ENTER GUILTY PLEA TO COUNT(S)

OF THE (SUPERSEDING) INDICTMENT/INFORMATION

X DEFT. WITHDRAWS NOT GUILTY PLEA AND ENTERS GUILTY PLEA TO
COUNT 38 OF THE (SUPERSEDING) INDICTMENT/INFORMATION

X COURT FINDS FACTUAL BASIS FOR THE PLEA

X SENTENCING SET FOR Sept. 29, 2008 AT 10:00 AM BEFORE Judge Weinstein

SENTENCING TO BE SET BY PROBATION

BAIL: SET CONT'D FOR DEFT.

CONT'D IN CUSTODY

CASE ADJOURNED TO AT

SEALED TRANSCRIPT ORDERED

OTHER: Pursuant to Federal Rule 11 of Criminal Procedure, the Magistrate did administer the allocution. A finding has been made that the plea was made knowingly and voluntarily and the plea was not coerced. The Magistrate recommends that the plea of guilty be accepted.